

NIQA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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AUG 14 2014

ANGEL CARINO-REYES

:

Complainant/Plaintiff

:

V.

:

No. **14 4809**

COUNTY OF BERKS, PA.

:

READING POLICE DEPARTMENT, ET AL.,

:

BERKS CO., POLICE COMMISSIONER

:

(Jury Trial Demanded)

DARREN SMITH

:

C.I. HASER

:

OFFICER JOHN DOE #1

:

OFFICER JOHN DOE #2

:

OFFICER JOHN DOE #3

:

OFFICER JOHN DOE #4

:

Defendants

:

— — — — —
CIVIL COMPLAINT

(Pursuant to 42 U.S.C. §1983)

— — — — —
COMES NOW, Angel Carino-Reyes, plaintiff pro se, (Mr. Carino-Reyes), and
files the instant civil complaint and submits the following for this Honorable
Courts review:

I. INTRODUCTION

1. This is a civil action pursuant to Title 42 U.S.C. §1983 for damages and injuries sustained by a citizen of the United States against police officers of the Berks County, Reading Police Department, which unlawfully detained, arrested, assaulted prosecuted, and harassed him, against the Police Commissioner as the supervisory officer responsible for the conduct of the defendant's and for his failure to take corrective action with respect to the police personnel whose vicious propensities were notorious, especially against non-whites, to assure proper training and supervision of the personnel, or implement meaningful procedures to oversee, maintain, regulate, behaviors to discourage lawless official conduct, against the individual officers involved, as well as, against the County of Berks as the employer of the police personnel, which is also sued as a person under 42 U.S.C. §1983.

II. JURISDICTION AND VENUE

2. This action is brought pursuant to Title 42 U.S.C. §1983 and §1988, and the Fourth, Fifth, Eighth, and Fourteenth amendments to the constitution of the United States.

3. The jurisdiction of this Honorable Court is predicated on 28 U.S.C. §§1343(3) and (4) and 1331. This Honorable Court also has supplemental/pendant jurisdiction over State law claims arising out of the same operational event.

4. The Federal Eastern District Court is the proper venue in that it is the District wherein the defendant(s) are employed, as well as, the District wherein the events occurred.

III. PARTIES

5. COMPLAINANT/PLAINTIFF - Angel Carino-Reyes, pro se, (Mr. Carino-Reyes), is a citizen of the United States. At all relevant times his principle address was at 525 Franklin Street, Reading, Pa. 19602. (Note: Mr. Carino-Reyes is currently incarcerated at the State Correctional Institution located at Coal Township, 1 Kelley Drive, Coal Township, Pa. 17866-1021. Mr. Carino-Reyes will be released in approximately Two (2) months and will be prosecuting this action from his new address, which he will immediately provide to the court and defendants).

6. DEFENDANT - COUNTY OF BERKS, PENNSYLVANIA (Berks) - This defendant is a Municipal Corporation within the Commonwealth of Pennsylvania, and at all relevant times, it employed the herein listed defendants officers. This defendant is being sued as a person under 42 U.S.C. §1983. For purposes of this civil action this defendant was acting under color of State law.

7. READING POLICE DEPARTMENT, ET AL., (Police Dep't) - This defendant is being sued as a person under 42 U.S.C. §1983. This defendant is being sued as supervisor and vicariously. This defendant's principle address is Reading Police Department, 801 Washington Street, Reading, Pa. 19601. For purposes of this civil action this defendant was acting under color of State law.

8. DEFENDANT - BERKS COUNTY POLICE COMMISSIONER (Commissioner) - At all relevant times the Commissioner was the duly appointed Commissioner of the Berks County Police Department. As such, he was commanding, and had the oversight of, the defendant officer's listed herein. He was responsible for their training, supervision and conduct, as well as, potentially, creating and implementing procedures, regulations and policies relating to performing functions as police

officers. He was responsible for enforcing those procedures, regulations and policies of the Berks County Police Department and for ensuring that Berks County police personnel obey the laws of the Commonwealth of Pennsylvania and of the United States. At all relevant times he was acting in such capacity as the agent, servant and employee of the defendant County of Berks. At all relevant times he was acting under color of State law.

9. DEFENDANT - OFFICER DARREN C. SMITH (Smith), badge No. 630 - At all relevant times Smith was a police officer employed by the Berks County Police Department to perform duties in the city/town of Reading, Pennsylvania and was assigned to the Reading precinct. At all relevant times he was acting in such capacity as the agent, servant and employee of the defendant County of Berks. At all relevant times his principle work address was Reading Police Department, 801 Washington Street, Reading, Pennsylvania 19601. At all relevant times he was acting under color of State law. Officer Smith is being sued in his official and/or individual capacity.

10. DEFENDANT(S), OFFICER C.I. HASER (Haser) - At all relevant times officer Haser was a police officer employed by the Berks County Police Department to perform duties in the city/town of Reading, Pennsylvania and was assigned to the Reading precinct. At all relevant times he was acting in such capacity as the agent, servant and employee of the defendant County of Berks. At all relevant times his principle work address was Reading Police Department, 801 Washington Street, Reading, Pennsylvania 19601. At all relevant times he was acting under color of State law. Officer Haser is being sued in his official and/or individual capacity.

11. DEFENDANTS, OFFICERS JOHN DOE'S, NUMBERS 1, 2, 3, and 4 - At all relevant times said Doe officer's were police officers employed by the Berks County Police department to perform duties in the city/town of Reading,

Pennsylvania and was assigned to the Reading precinct. At all relevant times officer Doe's were acting in such capacity as the agent, servant and employee of the defendant County of Berks. At all relevant times their principle work address was Reading Police Department, 801 Washington Street, Reading, Pennsylvania 19601. At all relevant times they were acting under color of State law. Each Doe defendant is being sued in his official and/or individual capacity.

IV. STATEMENT OF THE FACTS

12. The averments of paragraphs 1-11 are incorporated herein by reference as if presented in full.

13. On August 23, 2012, at approximately 11:45 p.m., plaintiff was walking home when an officer shouted "stop, stop", at which point plaintiff stopped and asked why he was ordered to stop when he had done nothing wrong.

14. Officer Smith became aggressive and accused plaintiff of throwing an object at a vehicle. Plaintiff replied that he must be mistaking because he had done nothing wrong., he had the wrong person.

15. Officer Smith became even more aggressive as officer Haser approached. As officer Haser approached he asked plaintiff if he saw anyone throwing something at a vehicle. I looked at officer Smith and said, "see, I told you I didn't do anything".

16. Officer Smith in response grabbed my arm as officer Haser grabbed my other arm and I was handcuffed.

17. After being handcuffed I was forcefully thrown face down onto the

pavement as officer's Doe's appeared.

18. After being slammed to the pavement and defenseless plaintiff was repeatedly punched and kicked by all officers present. The beating lasted approximately Twenty (20) to Twenty Five (25) minutes.

19. The officers then lifted me up and threw me into the police vehicle and transported to the Reading police department.

20. Plaintiff was taken to a hallway where he sat as staff people asked him questions regarding his name and address, as well as, took pictures of his injuries.

21. Plaintiff sat on that bench for quite some time before being taken before a judge.

22. Plaintiff was taken before a judge who determined that there was no probable cause to detain plaintiff and ordered his release. After a period of time plaintiff was released.

23. Once released plaintiff went to his Aunt's house (Carman Carino), and when she saw plaintiff's distraught demeanor and injured she asked what happened. Plaintiff then explained everything that happened. Plaintiff's cousin, Joshua Corino, saw plaintiff condition and told plaintiff that he should do something about what happened.

24. After some discussion the police were called and an officer responded to plaintiff's aunt's home. Plaintiff told the police what had occurred and how that he was in fear for his life

25. The police, after interviewing plaintiff and seeing his state of fear suggested that plaintiff seek the help of a trained psychiatrist, and plaintiff agreed. The police then called the psychiatric hospital and transported plaintiff to that facility. (Note: Plaintiff was attempting to file an official

complaint against the offending officers, however, the meeting with the responding police somehow turned into a plea for help and the complaint was never processed or pursued by the responding officer. Plaintiff alleges that it was a designed ploy by the responding officer to shift the focus of the meeting from one of filing a complaint to one of seeking help for plaintiff paranoia. That is why John Doe Number 4 was listed in the instant complaint).

26. After arrival at the psychiatric hospital and talking with staff there plaintiff was prescribed medications for his pain and anxiety. The psychiatric staff further suggested that plaintiff be sent to St. Joseph's Hospital to have his injuries tended.

27. At St. Joseph's Hospital plaintiff's wounds were cleaned out and bandaged. After medical attention plaintiff was transported back to the psychiatric hospital for further treatment due to his fear, anxiety and paranoia.

28. Plaintiff stayed at the psychiatric hospital for approximately Four (4) to Five (5) days before being released.

29. As a direct result of the misconduct of the defendant's listed herein plaintiff experienced humiliation, emotional distress, pain and suffering, incurred expenses and unlawfully suffered a loss of freedom.

30. On information and belief defendant County, authorized, tolerated as institutional practices, and ratified the misconduct herein described by:

A) - Failing to properly discipline, restrict, and control employees, including defendant(s) Smith, Haser, and officer's Doe's, who were known to be irresponsible in their dealings with citizens of color of the community;

B) - Failing to take adequate precautions in hiring, promotion and

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retention of police personnel, including specifically the defendant's listed herein;

C) - Failing to forward to the office of the District Attorney of Berks County evidence of criminal acts by police personnel, i.e., the assault on plaintiff and subsequent plaintiff attempted to file;

D) - Failing to establish and/or assure the functioning of a bona-fide and meaningful departmental system for dealing with complaints of police misconduct. This practice/conduct constitutes negligence/gross negligence under State law.

31. As a consequence of the above-listed abuse of authority described plaintiff sustained injuries listed supra, infra. (Note: In addition to this abuse of authority, there exists yet another, i.e., officer Smith's re-filing of a complaint against plaintiff).

32. Based upon fabricated alleged facts officer Smith re-filed the complaint against plaintiff on September 25, 2012, and thereafter obtained a warrant for plaintiff's arrest.

33. Whether deliberately, or otherwise, a Notice to Appear was sent to an a prior address where plaintiff lived and not the address plaintiff provided to the police when he was first taken to the police station and asked where he lived.

34. Because plaintiff did not appear the police acted upon the warrant and arrested plaintiff for failure to appear. Plaintiff was re-arrested on the Criminal Mischief charge, Pa. Crimes Code §3304(a)(5), as well as, another fabricated charge of Public Drunkenness, Pa. Crimes Code §5505.

35. On November 23, 2012, plaintiff was taken before the Honorable Judge

Wally Scott regarding the re-filed, and additional, charges.

36. After inquiry and investigation the Honorable Judge Scott determined that there was no legal basis in which to detain plaintiff and again his release was ordered.

V. FEDERAL CAUSES OF ACTION

37. The averments of paragraphs 1-36 are incorporated herein by reference thereto as though presented in full.

38. The herein listed actions and omissions engaged in under the color of State authority by the defendant's, including defendant County of Berks, sued as a person, is responsible because of its authorization, condonation, and ratification thereof for the acts if its agents, deprived the plaintiff of rights secured to him by the constitution of the United States, including but not limited to, his Fourth, Fifth, Eighth, and Fourteenth protections to be entitled to be free from unlawful restraint and imprisonment, as well as, to be free from cruel and unusual punishment and provided adequate due process and equal protection of the laws.

VI. SUPPLEMENTAL/PENDANT CAUSES OF ACTION

39. The averments of paragraphs 1-38 are incorporated herein by reference thereto as if though presented in full.

- FIRST CAUSE OF ACTION -

(Excessive Use of Force)

40. The defendant(s) listed herein, without justifiable cause violently

beat the plaintiff after he was handcuffed and no threat to the officers or others. In cases of arrest and resisting arrest the officers are allowed to use a force that is necessary to subdue the offender, nothing more. In the instant case the plaintiff was never a threat of any kind. He was argumentative, stopped when the officer requested that he stop, and never posed a threat to others, and yet, he was subjected to extreme violence and suffered physical and emotional injuries therefrom.

-SECOND CAUSE OF ACTION -

(Assault and Battery)

41. After the plaintiff was handcuffed and completely defenseless the defendant's repeatedly kicked and punched the plaintiff while he was on the ground. This personal attack lasted approximately Twenty (2) to Twenty Five (25) minutes, thus evincing evil motive and deliberate intent to do bodily damage to plaintiff.

- THIRD CAUSE OF ACTION -

42. The defendant's listed herein unlawfully detained plaintiff without probable cause in that they did not personally see the plaintiff do any illegal act. When the second officer arrived he asked the plaintiff "did you see" anyone throwing an object at a vehicle, evincing the fact that the police were merely "looking for" a witness. At that point there was absolutely no justification for ~~officer Smith~~ to physically grab plaintiff, handcuff him and throw him to the ground.

- FOURTH CAUSE OF ACTION -

(False Arrest)

43. Without probable cause, i.e., actual knowledge that plaintiff committed or was about to commit a crime, the defendant's took plaintiff into custody and

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- SEVENTH CAUSE OF ACTION -

(Abuse of Authority)

46. Officer Smith used his position of authority in order to obtain an arrest warrant for plaintiff by providing false information to the issuing authority. As stated previously, officer Smith claimed that plaintiff was intoxicated when he was not and in addition stated that there was damage in the amount of \$3,483.32 to a vehicle because plaintiff threw "an object" at it. That assertion is an obvious fabrication for Two (2) distinct reasons, i.e., officer Smith claimed that there was damage to "the rear window" and "dents", plural, to the roof. First, there cannot be damage to the rear window and several dents when plaintiff allegedly threw "an object", singular. Listed damage would have had to have occurred due to several objects being thrown at the vehicle. Secondly, Officer Smith, when before the judge stated that there was \$500 dollars damage, not the \$3,483.32 quoted in the affidavit of probable cause to the issuing authority. Officer Smith "puffed up" alleged facts to justify probable cause which in fact did not exist.

- EIGHTH CAUSE OF ACTION -

(Negligence/Gross Negligence)

47. Plaintiff, after being released, called the police and issued a formal complaint against the offending officers, however, that complaint was never processed or pursued. Rather than processing the complaint the responding officer, John Doe #4, was instrumental in switching the topic and got plaintiff to enter the psychiatric hospital to address his fear and paranoia. After plaintiff was hospitalized for Four (4) or Five (5) days the request to file a formal complaint was effectively negated.

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VII. RELIEF REQUESTED

A - COMPENSATORY DAMAGES - Against all defendant's jointly and severally, in an amount in excess of Five-Hundred-Thousand dollars (\$500,000.00) or an amount to be decided by a jury;

B - PUNITIVE DAMAGES - Against all defendant's jointly and severally in an amount in excess of Five-Hundred-Thousand dollars (\$500,000.00) or an amount to be determined by a jury;

C - NOMINAL DAMAGES - In an amount to be decided by a jury or this Honorable Court;

D - Attorney fees pursuant to 42 U.S.C. §1988;, and,

E - Such other relief as this Honorable Court may deem appropriate under the circumstances.

VERIFICATION

I make these statements with full respects to Title 42 U.S.C. §1746, making false statements to authorities. I verify that these statements are true and correct to the best of my information, knowledge and belief.

WHEREFORE, plaintiff prays this Honorable Court to order the defendant's be served with a copy of the complaint and that this Honorable Court issue a case management schedule.

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Respectfully Submitted,

Angel Corino Reyes
Angel Corino-Reyes, pro se

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct document entitled CIVIL COMPLAINT, upon the below listed address via United States first class mail, postage prepaid:

Clerk of Court
United States District Court
Eastern District, Pa.
601 Market St. Rm. 2609
Philadelphia, Pa.
19106-1797

Respectfully Submitted,

Date: August, 5 2014

Angel Carino-Reyes, pro se
I.D. #LB - 7430
1 Kelley Drive
Coal Township, Pa.
17866-1021

COMMONWEALTH OF
PENNSYLVANIA
COUNTY OF BERKS



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

Magisterial District Number: 23-1-03

MDJ: Hon. **WALLY SCOTT**
101 N 9TH ST

Address: **READING, PA 19601**

Telephone: **610-378-5101**

DEFENDANT:

(NAME and ADDRESS):

ANGEL

MANUEL

CARINO-REYES

First Name

Middle Name

Last Name

Gen

111 S 7TH ST

2ND FLOOR FRONT

READING

PA

19601

NCIC Extradition Code Type

- ☐ 1-Felony Ful ☐ 4-Felony No Ex ☐ B-Misdemeanor Limite ☐ E-Misdemeanor Pending
☐ 2-Felony Ltd ☐ 5-Felony Pend ☒ C-Misdemeanor Surrounding State ☐ Distance:
☐ 3-Felony Surrounding State ☐ A-Misdemeanor Fu ☐ D-Misdemeanor No Extraditio

DEFENDANT IDENTIFICATION INFORMATION

| | | | | | |
|---|-------------------------------|---|--|--|---|
| Docket Number CR441-12 | Date Filed 09/25/12 | OTN/LiveScan Number T240798-5 | Complaint/Incident Number 2012-53143 | SID: | Request Lab Services? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female | DOB 02/20/1964 | POB | Add'l DOB | Co-Defendant(s) <input type="checkbox"/> | |
| First Name | | Middle Name | Last Name | | Gen. |

| | | | | | | |
|------------|--|---|---|---|--|--|
| RACE | <input checked="" type="checkbox"/> White | <input type="checkbox"/> Asian | <input type="checkbox"/> Black | <input type="checkbox"/> Native American | <input type="checkbox"/> Unknown | |
| ETHNICITY | <input checked="" type="checkbox"/> Hispanic | <input type="checkbox"/> Non-Hispanic | <input type="checkbox"/> Unknown | | | |
| HAIR COLOR | <input type="checkbox"/> GRY (Gray) | <input type="checkbox"/> RED (Red/Auburn) | <input type="checkbox"/> SDY (Sandy) | <input type="checkbox"/> BLU (Blue) | <input type="checkbox"/> PLE (Purple) | <input type="checkbox"/> BRO (Brown) |
| | <input checked="" type="checkbox"/> BLK (Black) | <input type="checkbox"/> ONG (Orange) | <input type="checkbox"/> WHI (White) | <input type="checkbox"/> XXX (Unk/Bald) | <input type="checkbox"/> GRN (Green) | <input type="checkbox"/> PNK (Pink) |
| | <input type="checkbox"/> BLN (Blonde / Strawberry) | | | | | |
| EYE COLOR | <input type="checkbox"/> BLK (Black) | <input type="checkbox"/> BLU (Blue) | <input checked="" type="checkbox"/> BRO (Brown) | <input type="checkbox"/> GRN (Green) | <input type="checkbox"/> GRY (Gray) | <input type="checkbox"/> XXX (Unknown) |
| | <input type="checkbox"/> HAZ (Hazel) | <input type="checkbox"/> MAR (Maroon) | <input type="checkbox"/> PNK (Pink) | <input type="checkbox"/> MUL (Multicolored) | <input type="checkbox"/> XXX (Unknown) | |

| | | | | |
|----------------------------|--|--------------------------------|----------------|---------------|
| Driver License | State PA | License Number 23269133 | Expires: | WEIGHT (Lbs.) |
| DNA | <input type="checkbox"/> YES <input type="checkbox"/> NC | DNA Location | 175 | |
| FBI Number | | MNU Number | Ft. HEIGHT In. | |
| Defendant Fingerprinted: | <input type="checkbox"/> YES <input type="checkbox"/> NO | | | 5 8 |
| Fingerprint Classification | | | | |

DEFENDANT VEHICLE INFORMATION

| | | | | | | | |
|---------|-------|---------------------------------|------------------------------|--|--------------------------------------|---------------------|--|
| Plate # | State | Hazmat <input type="checkbox"/> | Registration Sticker (MM/YY) | Comm'l Veh Ind. <input type="checkbox"/> | School Veh. <input type="checkbox"/> | Oth. NCIC Veh. Code | Reg. same as Def. <input type="checkbox"/> |
| VIN | Year | Make | Model | Style | Color | | |

Office of the attorney for the Commonwealth ☐ Approved ☐ Disapproved Because: _____

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth F to filing. See Pa.R.Crim.P. 507.)

(Name of the attorney for the Commonwealth-Please Print or Type) _____ (Signature of the attorney for the Commonwealth) _____ (Date) _____

| | |
|---|--|
| I, SMITH, DARREN C (Name of the Affiant-Please Print or Type) | 630 PSP/MPOETC -Assigned Affiant ID Number and Badge # |
| of Reading Police Department (Identify Department or Agency Represented and Political Subdivision) | PA0061400 (Police Agency ORI Number) |
| do hereby state: (check appropriate box) | |
| 1. <input checked="" type="checkbox"/> I accuse the above named defendant who lives at the address set forth above | |
| <input type="checkbox"/> I accuse the defendant whose name is unknown to me but who is described as _____ | |
| <input type="checkbox"/> I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe | |
| with violating the penal laws of the Commonwealth of Pennsylvania at [23-1-03] READING (Subdivision Code) (Place-Political Subdivision) | |
| 700 BLK WASHINGTON STREET | |
| in BERKS County [06] on or about 08-22-12 @ 2343 HOURS (County Code) | |



POLICE CRIMINAL COMPLAINT

| | | | |
|----------------|----------------------------------|--------------------------|---|
| Docket Number: | Date Filed: 09/25/2012 | OTN/LiveScan Number | Complaint/Incident Number: 2012-53143 |
| Defendant Name | First: ANGEL | Middle: MANUEL | Last: CARINO-REYES |

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§213.1-213.7.)

| | | | | | | | | |
|---|--|---|---|--------------------------------------|--------|------------------------------------|-------------------|----------------|
| <input checked="" type="checkbox"/> Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input type="checkbox"/> Conspiracy 18 903 | | | | | |
| <input checked="" type="checkbox"/> 1 | 3304 | (a)(5) | of the PA CRIMES CODE | 1 | M-2 | | | |
| Lead? | Offense # | Section | Subsector | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |
| PennDOT Data (If Applicable) | Accident Number | | | <input type="checkbox"/> Safety Zone | | <input type="checkbox"/> Work Zone | | |
| Statute Description (Include the Name of the Statute or Ordinance): PACC 3304(a)(5) - Criminal Mischief In that on the above date and time the defendant did intentio | | | | | | | | |

Acts of the accused associated with this Offense:

PACC 3304(a)(5) - Criminal Mischief M-2

In that on the above date and time the defendant did intentionally damage real or personal property of another, in violation of Section 3304(a)(5) of the PA Crimes Code. M-2

| | | | | | | | | |
|--|--|---|---|--------------------------------------|--------|------------------------------------|-------------------|----------------|
| <input type="checkbox"/> Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input type="checkbox"/> Conspiracy 18 903 | | | | | |
| <input type="checkbox"/> 2 | 5505 | | of the PA Crimes Code | 1 | S | | 230 90E | |
| Lead? | Offense # | Section | Subsector | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |
| PennDOT Data (If Applicable) | Accident Number | | | <input type="checkbox"/> Safety Zone | | <input type="checkbox"/> Work Zone | | |
| Statute Description (Include the Name of the Statute or Ordinance): PACC 5505 Public Drunkenness - Summary | | | | | | | | |

Acts of the accused associated with this Offense:

PACC 5505 Public Drunkenness - Summary

IN THAT, on or about said date, THE DEFENDANT did appear in a public place manifestly under the influence of alcohol to the degree that said DEFENDANT may have endangered himself or other persons or property, or annoy persons in his vicinity, in violation of Section 5505 of the Crimes Code. (18 P.S. 5505 - Summary)